



Leadership Conference on Civil Rights

1629 K Street, NW
10th Floor
Washington, D.C. 20006
Phone: 202-466-3311
Fax: 202-466-3435
www.civilrights.org

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Realize the Dream. Restore Civil Rights **Fairness: The Civil Rights Act of 2004**

South Camden Citizens **South Camden, New Jersey**

Imagine living in a neighborhood with “two Superfund sites, several contaminated and abandoned industrial sites, many currently operating facilities, including chemical plants, waste facilities, food processing companies, automotive shops, and a petroleum coke transfer station.” Imagine further that the state had “granted permits for the operation of a regional sewage treatment plant, a trash-to-steam incinerator and a co-generation power plant in the neighborhood.” And imagine further that the state had approved the location of a cement plant that would process granulated blast furnace slag for use in making cement.

If you were a resident of South Camden, New Jersey, this would not be imaginary. It would be real.

This 90% minority community had had enough when its residents sued the State of New Jersey under Title VI of the Civil Rights Act of 1964, for the unjustified discriminatory effect of the State’s decisions to approve the location of the Saint Lawrence Cement Plant in their community. The trial court initially agreed with the residents and on April 19, 2001, it enjoined the operation of the cement plant. However, only a few days later, the United States Supreme Court ruled in *Alexander v. Sandoval* that individuals did not have the right to bring an action in court challenging practices with an unjustified discriminatory effect – they could only come to court if they planned to prove intentional discrimination.

As a result of the *Sandoval* decision, the injunction against the cement plant was lifted, the plant began operating, and the South Camden residents are left to prove that the State of New Jersey approved the location of the cement plant in their community with the intent to discriminate against them on the basis of race or national origin. That is an unduly and unnecessarily high bar to erect to challenge practices such as these.

Court case: *South Camden Citizens v. New Jersey*

“Equality In a Free, Plural, Democratic Society”

